IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6839 OF 2004

Sunil Surendra Lagu .. Petitioner

Versus

Special Recovery Officer,

Suvarna Yug Sahakari Bank

Mydt. & Anr. .. Respondent

Mr.M.A.Utgikar for petitioner

CORAM : A.M.KHANWILKAR, J.

DATE : SEPTEMBER 1, 2004.

P.C.

1. This writ petition questions three recovery certificates dated 31st May 2000 and 9th December 1999. None of the recovery certificates

which are impugned in this petition are placed on record. Indeed, the petitioner is also challenging the notice of attachment dated 4th June 2004. But unless the petitioner would succeed in challenging the recovery certificate, no relief can be granted in his favour. Insofar as the recovery certificates are concerned, they were issued as back as in 1999 and 2000 respectively. The petitioners have statutory remedy of preferring revision against such certificates which has not been availed. The manner in which this petition has been presented, leaves no doubt that the attempt of the petitioner is only to protract the proceedings. The same is dismissed for the aforesaid reason.

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